

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET											
CR No:	14-455 WJ			USA vs.:	Smith						
Date:	February 19, 2015			Name of Deft:	Brandon Smith						
Before the Honorable:				William P. Johnson							
Time In/Out:	9:24am – 9:33am				Total Time in Court (for JS10):			9 minutes			
Clerk:	R. Garcia				Court Reporter:			M. Loughran			
AUSA:	Reeve Swainston				Defendant's Counsel:			Marc Lowry			
Sentencing in:	Albuquerque, NM				Interpreter:			N/A			
Probation Officer:	C. Cde Baca				Sworn?			<input type="checkbox"/> Yes		<input type="checkbox"/> No	
Convicted on:	<input checked="" type="checkbox"/>	Plea	<input type="checkbox"/>	Verdict	As to:			<input type="checkbox"/> Information		<input checked="" type="checkbox"/>	Indictment
If Plea:	<input checked="" type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	Adjudged/Found Guilty on Counts:			Ct. 6			
If Plea Agreement:	<input checked="" type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	No Plea Agreement			Comments: Rule 11(c)(1)(C)			
Date of Plea/Verdict:	11/14/2014				PSR:			<input checked="" type="checkbox"/>	Not Disputed		<input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:			<input checked="" type="checkbox"/>	Not Needed		<input type="checkbox"/> Needed
Exceptions to PSR:											
<b>SENTENCE IMPOSED</b>				Imprisonment (BOP): 60 months							
Supervised Release:		3 years			Probation:		<input checked="" type="checkbox"/>		500-Hour Drug Program and any educational/vocational programs available.		
Court recommends ICE begin removal proceedings immediately or during service of sentence								<input checked="" type="checkbox"/>		ICE not applicable	
SPECIAL CONDITIONS OF SUPERVISION											
<input type="checkbox"/>	No re-entry without legal authorization				<input type="checkbox"/>		Home confinement for ____ months ____ days				
<input type="checkbox"/>	Comply with ICE laws and regulation				<input type="checkbox"/>		Community service for ____ months ____ days				
<input checked="" type="checkbox"/>	Participate in/successfully complete subst abuse program/testing				<input type="checkbox"/>		Reside halfway house ____ months ____ days				
<input type="checkbox"/>	Participate in/successfully complete mental health program				<input type="checkbox"/>		Register as sex offender				
<input checked="" type="checkbox"/>	Refrain from use/possession of alcohol/intoxicants				<input type="checkbox"/>		Participate in sex offender treatment program				
<input checked="" type="checkbox"/>	Submit to search of person/property				<input type="checkbox"/>		Possess no sexual material				
<input checked="" type="checkbox"/>	No contact with co-defendant(s) w/out prior approval of Probation				<input type="checkbox"/>		No computer with access to online services				
<input type="checkbox"/>	No entering or loitering near victim's residence				<input type="checkbox"/>		No contact with children under 18 years				
<input type="checkbox"/>	Provide financial information				<input type="checkbox"/>		No volunteering where children supervised				
<input type="checkbox"/>	Grant limited waiver of confidentiality				<input type="checkbox"/>		Restricted from occupation with access to children				
<input type="checkbox"/>					<input type="checkbox"/>		No loitering within 100 feet of school yards				
<input checked="" type="checkbox"/>	1. Deft must not possess a firearm, ammunition, destructive device, etc. 2. Deft must cooperate in the collection of DNA, as directed by statute 3. Deft must refrain from the use and possession of synthetic cannabinoids or other legally sold designer drugs										
Fine:	\$	0.00			Restitution:			\$	0.00		
SPA:	\$	100.00 (\$100) as to each Count			Payment Schedule:			<input checked="" type="checkbox"/>	Due Imm.		<input type="checkbox"/> Waived
OTHER:	Consistent with a stipulation in the Plea Agreement, the deft forfeits his rights, title, and interest in all assets outlined in paragraph 15 of the plea agreement										
<input type="checkbox"/>	Advised of Right to Appeal			<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement						
<input checked="" type="checkbox"/>	Held in Custody			Voluntary Surrender							
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration:			FCI Florence, CO.							

	Dismissed Counts:	
OTHER COMMENTS:	PSR reviewed w/client; no objections/corrections. The Government requests that the Court accept the 11(c)(1)(C) Plea Agreement. Mr. Lowry requests that the Court accept the plea agreement. Defendant addresses the Court. The Court accepts the 11(c)(1)(C) Plea Agreement.	